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Examiner Jerome W. Donnelly, Art Unit 3764 United States Patent and Trademark Office	571-273-8300	

FROM: Katherine Proctor

RE: U.S. Patent Application No.: 10/699,995
Title: RIGID ARM PULL DOWN EXERCISE MACHINE
Filed: November 3, 2003
Our Ref.: 111586-101UTL

CC:

MESSAGE:

Attached is a copy of the Terminal Disclaimer submitted in this application. The associated fee for the disclaimer was paid on November 26, 2007.

CONFIDENTIAL INFORMATION

PLEASE NOTE: The information contained in this facsimile message is privileged and confidential; and it is intended only for the use of the individual(s) named above, and others who have been specifically authorized by such individual(s). If you are not the named recipient(s) or authorized by the named recipient(s), you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone ((619) 238-1900) and return this facsimile message to the sender via the U.S. Mail (530 B Street, Suite 2100, San Diego, California 92101). Thank you.

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Client Name: Hoist
Client/Matter No.: 111586.101UTL
Equitrac No: 4067
111586.101UTL/740916.02

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CENTRAL FAX CENTER****NOV 28 2007****PATENT
111586-101UTL****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Serial No.:** 10/699,995**Inventor:** Randall T. Webber**Filed:** November 3, 2003**Title:** RIGID ARM PULL DOWN
EXERCISE MACHINE**Art Unit:** 3764**Examiner:** DONNELLY, Jerome W.**Confirmation No.** 5373**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)****MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Owner, Hoist Fitness Systems, owning a 100% interest in the captioned application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the captioned application that would extend beyond the expiration date of the full statutory term (as defined in 35 U.S.C §§ 154 to 156 and 173) of any patent granted on pending Application No. 11/746,430. In accordance with 37 CFR 1.321(c)(3), the owner hereby agrees that any patent granted on the captioned application shall be enforceable only for and during such period that it is commonly owned with any patent granted on pending Application No. 11/746,430, and is binding upon the grantee, its successors or assigns.

Owner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of any patent granted on pending Application No. 11/746,430, in the event that any such patent granted on pending Application No. 11/746,430 expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is

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statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.32(a); has all claims canceled by a reexamination certificate; or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I am agent of record and am authorized to make this disclaimer on behalf of the Owner.

Respectfully submitted,

Dated: November 26, 2007

By:

Katherine Proctor

Katherine Proctor
Reg. No. 31,468

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